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10/053,303	11/07/2001	KangYoon Lee	JP920000395	5802

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EXAMINER
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ZECHER, MICHAEL R

ART UNIT	PAPER NUMBER
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3691

MAIL DATE	DELIVERY MODE
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02/14/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/053,303

**Applicant(s)**

LEE ET AL.

**Examiner**

MICHAEL R. ZECHER

**Art Unit**

3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 28 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. The following is a second final Office Action on the merits. **Claims 1, 8, & 15** have been amended. **Claims 1-21** are pending.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dent et al (U.S. 6,839,687), in view of Hilt et al. (U.S. 6,032,133), and further in view of Antognini et al. (U.S. 2002/0023055).

**As per claim 1**, Dent et al. teaches a system for performing personal finance management using the internet, the system comprising:

"means for collecting billing information data from each of the EBPP servers, said billing information data including an amount to be paid and payment due date" (See figure 1, #24 & #26, which illustrates distributing billing statements via a service center over a network);

"means for presenting a payment-schedule based on said bank account information data and said billing information data" (See figure 2, #48, subsections #52, #54, and #56, specifically #54, which illustrates how paying bills will impact the consumer's cashflow);

"means for enabling the user to select how and when to pay the bills and forwarding said user's selection on the payment to the bank server for actual transaction" (See figure 2, #48, and column 5, line 57 through column 6, line 13, which illustrates and discusses how bills are managed, including enabling actual payment).

However, Dent et al. does not expressly disclose "means for automatically obtaining a user's bank account information data from the bank server via a connection to the bank server according to user preference setting;" and "said means for collecting billing information operable to directly obtain the billing information in a pull mode according to user's request."

Hilt et al. discloses an electronic bill payment system that allows users to pay requisite amounts to merchants (See abstract).

Both Dent et al. and Hilt et al. disclose systems and methods for bill presentment and payment. Hilt et al. expressly discloses a bill pay system where a user's bank account information is automatically obtained from a financial institution based upon a pre-authorization message (See figure 3, and column 9, lines 32-55, which illustrates and discusses obtaining a user's financial information based upon pre-authorization). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dent et al. to included automated retrieval of account information based on user preference settings as taught by Hilt et al. in order to combine automated retrieval of personal account information with personal finance management to quickly and efficiently pay bills.

The Dent et al. and Hilt et al. combination discloses the structural elements of the claimed invention, but fails to disclose "said means for collecting billing information operable to directly obtain the billing information in a pull mode according to a user's request."

Antognini et al. discloses a system of bill presentment and bill payment that allows users to choose from numerous presentment and payment options (See abstract).

Both the Dent et al. and Hilt et al. combination and Antognini et al. disclose systems and methods for bill presentment and payment. Antognini discloses how the bill production program accesses billing information; and furthermore, how a bill payer's computer is capable of updating personal finance software for the purpose of directing bill payment or bill payment information directly to the bill presenter (See paragraphs 46 & 47, which discusses accessing information from a database for each bill, and updating a bill payer's personal finance software for the purpose of directing bill payment information directly to a bill presenter). Therefore, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to modify the Dent et al. and Hilt et al. combination to include a means for collecting billing information where a bill payer's computer is capable of obtaining billing information directly from the appropriate database as taught by Antognini et al. in order to conveniently incorporate digital information derived from a bill presentment method into a bill payment method.

**As per claim 2**, Dent et al. teaches that "user's selection on the payment can be an immediate account transfer, a reserved account transfer, and automatic account

transfer or transfer cancellation of the amount to be paid, from the user's bank account" (See payment analyzer, figure 2, #56, which illustrates allowing selection of payment depending on the schedule chosen; specifically column 9 & 10, steps 1-6, which discusses viable options if the payment schedule results in a negative balance).

**As per claim 3**, Dent et al. teaches the "means for calculating and presenting an estimated account balance on the payment due date, in advance, assuming that said amount to be paid is transferred from the user's bank account on the payment due date" (See cashflow analyzer in figure 2, #54, and payment analyzer in figure 2, #56, which illustrates calculating and estimating account balance).

**As per claim 4**, Dent et al. teaches the "payment-schedule can be displayed on a daily basis, weekly basis, or monthly-basis" (See payment analyzer in figure 2, #56, and column 3, lines 24-30, which illustrates coordinating different payment schedules for a bill payment cycle (e.g. a month)).

**As per claim 5**, Dent et al. teaches a system and method for performing personal finance management using the internet (See consumer interface unit, figure 1, #28 (1-n), subsection cashflow analyzer, #24, #26, Figure 2, #48, subsections #52, #54, #56, which illustrates containing a user's bank account information, distributing billing statements via a service center over a network, determining how paying bills will impact the consumer's cashflow, and enabling a user to manage payment of electronic bills).

However, Dent et al. does not expressly disclose a "means for presenting the payment result received from the bank server to the user."

Hilt et al. expressly discloses a means for notifying the user of a payment result via a confirmation receipt (See Figure 2, #66, which illustrates a confirmation receipt sent to the consumer following the payment of a bill). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a means of notifying the user of an electronic bill pay method or system that the payment result was confirmed (See Hilt, Figure 2, #66 and column 6, line 50, which illustrates and discusses the material passing among participants of an electronic bill pay system).

**As per claim 6**, Dent et al. teaches the means for collecting billing information data comprising (See Figure 1 #22 and #24, and column 4, line 54, which illustrates and discusses a biller computing unit):

"means for storing the billing information received from said each of the EBPP servers" (See figure 2 #48, and column 5, lines 57-67, bill management unit, which illustrates and discusses, respectively, bill handling and management functions, including receiving and storing billing information).

However, Dent et al. does not expressly disclose:

"means for storing user identification information data for each of the EBPP servers";

"means for requesting billing information data to each of the EBPP servers using said stored user identification information."

Hilt et al. discloses information identifying a biller (See claims 2 & 3, which discusses information identifying a biller and how the information is compared to an

account number table or a biller file to determine the biller's status). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dent et al. to include storing information identifying a bill payer as taught by Hilt et al. in order to combine automated retrieval of personal account information with personal finance management to quickly and efficiently identify the appropriate bill payer with the correct bill.

The Dent et al. and Hilt et al. combination discloses the structural elements of the claimed invention, but fails to disclose "means for requesting billing information data to each of the EBPP servers using said stored user identification information."

Antognini discloses how the bill production program accesses billing information; and furthermore, how a bill payer's computer is capable of updating personal finance software for the purpose of directing bill payment or bill payment information directly to the bill presenter (See paragraphs 46 & 47, which discusses accessing information from a database for each bill, and updating a bill payer's personal finance software for the purpose of directing bill payment information directly to a bill presenter). Therefore, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to modify the Dent et al. and Hilt et al. combination to include a means for requesting billing information using information identifying a bill payer as taught by Antognini et al. in order to conveniently verify that requested billing information correlates with the correct bill payer.

**As per claim 7**, which includes the "means for alerting the user when said estimated account balance is less than zero" (See cashflow analyzer in figure 2, #54,



and payment analyzer in figure 2, #56, which illustrates calculating and estimating account balance; specifically column 9 & 10, steps 1-6, which discusses how the cashflow analyzer optimizes a payment schedule if the result is a negative balance).

**Claims 8 and 15** recite equivalent limitations to claim 1 and are therefore rejected using the same art and rationale as set forth above.

**Claims 9 and 16** recite the equivalent limitations in claim 2 and are therefore rejected using the same art and rationale as set forth above.

**Claims 10 and 17** recite the equivalent limitations in claim 3 and are therefore rejected using the same art and rationale as set forth above.

**Claims 11 and 18** recite the equivalent limitations in claim 4 and are therefore rejected using the same art and rationale as set forth above.

**Claims 12 and 19** recite equivalent limitations in claim 5 and are therefore rejected using the same art and rationale as set forth above.

**Claims 13 and 20** recite equivalent limitations in claim 6 and are therefore rejected using the same art and rationale as set forth above.

**Claims 14 and 21** recite the equivalent limitations in claim 7 and are therefore rejected using the same art and rationale as set forth above.

#### ***Response to Arguments***

4. Applicant's arguments, see Amendments, filed December 28, 2007, with respect to the objection of **claim 1** have been fully considered and are persuasive. The objection of **claim 1** has been withdrawn.

5. Applicant's arguments filed December 28, 2007, have been fully considered but they are not persuasive.

In the Remarks, the applicant argues in substance that:

(a) Antognini et al. does not disclose, suggest, or teach that a user manages his or her finances using his or her bank account information and the direct pulling of billing information obtained in accordance with the user's preferences.

In response to (a):

Examiner respectfully disagrees. Applicant added the claim limitation "...means for collecting billing information operable to directly obtain the billing information in a pull mode according to user's request." Based on applicant's express claim language, the user (i.e. bill payer) is not directly pulling the billing information himself, but rather the user is obtaining billing information according to a request or preference. Hence, applicant's interpretation of the Antognini reference is flawed because applicant doesn't specifically claim that the bill payer directly pulls the billing information himself. Rather, applicant can request the billing information through preferences, such as directing a bill presenter to access and disclose the billing information according to a negotiated pre-determined setting.

Furthermore, Applicant argues in his remarks that the instant application allows the user to manage his or her finances using account and billing information obtained in accordance with the user's preference. Antognini et al. discloses how conflict between the bill presenter and bill payer is ultimately resolved by the terms of the contract or that the choice made by the last party to act on any such choice determines how the

process is completed (See paragraph 58) This disclosure indicates two things. First, the bill presenter and biller payer enter into a contract to do business. Parties to a contract are free to negotiate the terms of the contract. Hence, the bill payer could negotiate a term directing the biller presenter on how and when to access the billing information. Additionally, the bill payer could negotiate a pre-determined setting, including how the billing information is disclosed. Second, if the bill payer doesn't like how the bill is presented, he or she may act contrary to a selection by the bill presenter, thus trumping the bill presenter. In other words, the bill payer may put the bill presenter on notice that he or she doesn't prefer that billing information initially disclosed and may assert a different preference by being the last party to act on an issue. In conclusion, Antognini et al. discloses, teaches and suggests that a bill payer can direct how the billing information is pulled, thereby managing his or her finances.

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL R. ZECHER whose telephone number is (571)270-3032. The examiner can normally be reached on M-F 7:30-5:00 alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alexander Kalinowski/  
Supervisory Patent Examiner, Art  
Unit 3691

MRZ

